

KENNETH L. CRUTCHER
Petitioner,

v.

STATE OF TENNESSEE
Respondent.

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No. 3:10-0184
Judge Echols

STATE OF TENNESSEE
Respondent.

On December 11, 2009, the petitioner initiated this action with the *pro se* filing of a petition (Docket Entry No. 1) under 28 U.S.C. § 2254, for writ of habeas corpus.

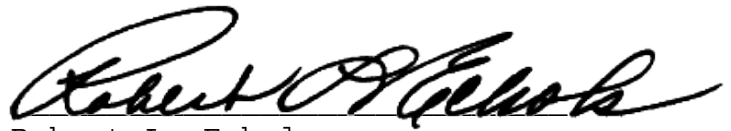
Since the entry of this Order, the petitioner has filed a response (Docket Entry No. 13). In the response, the petitioner does not question the Court's finding that this action is untimely. Rather, he attributes the untimeliness of the petition to his attorney's failure to provide him with current information and to petitioner's ignorance of the law.

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Cir. 2003). Nor is the petitioner's ignorance of the law sufficient to justify an equitable tolling of the limitation period. Allen v. Yukins, 366 F.3d 396, 403 (6th Cir.2004). Consequently, given the untimeliness of the petition, the petition is DENIED and this action is hereby DISMISSED. Rule 4, Rules --- § 2254 Cases.

Having failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability shall NOT issue in this instance. 28 U.S.C. § 2253(c)(2).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

Robert L. Echols
United States District Judge